

**CITY OF HIALEAH**  
**PLANNING AND ZONING BOARD MEETING**  
**February 14<sup>th</sup>, 2018**  
*Agenda*

HIALEAH CITY HALL  
501 PALM AVENUE-3RD FLOOR

7:00 P.M.  
HIALEAH

Call to order.

Invocation and pledge of allegiance

**ALL LOBBYISTS MUST REGISTER WITH THE PLANNING AND ZONING BOARD PRIOR TO ITEM BEING HEARD**

**A MAXIMUM OF 4 SPEAKERS IN FAVOR AND 4 SPEAKERS IN OPPOSITION WILL BE ALLOWED TO ADDRESS THE PLANNING AND ZONING BOARD ON ANY ITEM. EACH SPEAKER'S COMMENTS WILL BE LIMITED TO 3 MINUTES.**

1. Roll Call.
2. Approval of Planning and Zoning Board Summary Agenda of January 24<sup>th</sup>, 2018 as submitted.

**ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.**

A WRITTEN DECISION AND RESOLUTION WILL BE PREPARED AND PRESENTED FOR REVIEW TO THE CITY COUNCIL. THE CITY COUNCIL IS AUTHORIZED TO AFFIRM, AFFIRM WITH CONDITIONS, OR OVERRIDE THE DECISIONS BY RESOLUTION. AFTER THE RESOLUTION IS ADOPTED, A MEMBER OF THE PLANNING DIVISION WILL CONTACT THE APPLICANT WHEN A COPY OF THE FINAL DECISION AND RESOLUTION CAN BE PICKED UP. UPON YOUR RECEIPT OF THE FINAL DECISION AND RESOLUTION, CONTACT THE BUILDING DEPARTMENT TO OBTAIN YOUR REQUIRED BUILDING PERMIT. SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

**THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, MARCH 13<sup>TH</sup>, 2018.**

3. **Final Decision** to adjust a distance separation to 10 feet, where 20 feet is the minimum required between an existing 282.55 square feet accessory building and the main residence, allow rear setback of 5.33 feet, where 7.5 feet is the minimum required for the existing accessory building. Property located at 4540 East 8<sup>th</sup> Court, Hialeah, zoned R-1 (One Family District).

**Applicant: Angel R. Martinez & Felicia Diaz Gomez**

***TABLED ITEM FROM JANUARY 24<sup>TH</sup>, 2018***

4. **Final Decision** to allow a street side setback of 10 feet, where 15 feet are required, on Lot 1, previously granted lot size variance through City of Hialeah, FL Ordinance 2017-072. Property located at 292 West 18<sup>th</sup> Street, Hialeah, zoned R-1 (One-Family District).  
**Applicant: Alejandro Vilarello P.A., on behalf of Horsebit Developments 3, LLC**

**THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, FEBRUARY 27<sup>TH</sup>, 2018.**

5. **Variance** permit to allow the construction of a duplex in a substandard lot with frontage of 50 feet, where 75 feet are required and area of 6,750 square feet, where 7,500 square feet are required; allow residential uses on the ground level, where only nonresidential uses are permitted; allow 6.5 feet front setback, where 0 feet setback is required at ground level; allow 5 feet- one inch east side setback, where 10 feet-one inch is required and allow frontage of 46%, where 100% is required. Property located at 33 West 3<sup>rd</sup> Street, Hialeah, zoned CBD (Central Business District).  
**Applicant: Excellent New Homes, LLC**
6. **Repeal and rescind** City of Hialeah, Florida Ordinance 1981-71 dated 6-23-1981 that allowed two living units on property zoned R-1. Request to rezone the property from R-1 (One Family District) to R-2 (One-and-Two Family Residential) to allow the conversion of the two-unit existing single family house into a duplex; variance permit to allow total lot coverage of 33.5%, where 30% is the maximum allowed, and to allow an interior south side setback to 7.5 feet, where 8 feet is the minimum required. Property located at 4451 East 8<sup>th</sup> Court, Hialeah, zoned R-1 (One Family District).

**Applicant: Sara Chong**

***TABLED ITEM FROM JANUARY 24<sup>TH</sup>, 2018***

7. **Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District Overlay regulations to allow the development of the site with a 30 unit apartment building and variance permit to allow 80% of the units to have less than 850 square feet, where 90% of the units are required to have a minimum area of 850 square feet; allow front and street side setback of 5 feet 8 inches, where 10 feet is the minimum required for the base of the building; allow 2 inches front and side setbacks for the middle and cap of the building, where 22 feet and 34 feet are the minimum required; allow 4 feet rear setback for the middle and cap of the building, where 22 feet and 28 feet are the minimum required; allow 43 parking spaces, where 68 parking spaces are required and allow no pervious area, where 20% is the minimum required. Property located at 800 Palm Avenue, Hialeah, zoned CR (Commercial Residential).

**Applicant: Ceasar Mestre, Esq. on behalf of 800 Palm Ave, LLC**

***TABLED ITEM FROM JANUARY 24<sup>TH</sup>, 2018***

8. **ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98, "ZONING", ARTICLE VI, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS", DIVISION 5 ENTITLED "USES", SUBDIVISION VIII, ENTITLED "ASSISTED LIVING FACILITIES" §§ 98-1956 AND 98-1957 TO REQUIRE A CONDITIONAL USE**

PERMIT APPLICATION IN PLACE OF A SPECIAL USE PERMIT APPLICATION; AND AMENDING § 98-1957 BY ADDING SECTION (c) TO PROVIDE THAT CHAPTER 98, ENTITLED “ZONING”, ARTICLE VI, ENTITLED “SUPPLEMENTARY DISTRICT REGULATIONS”, DIVISION 5 ENTITLED “USES”, SUBDIVISION IX ENTITLED “RESIDENTIAL CARE AND TREATMENT FACILITIES”, §§ 98-1986 THROUGH 98-1990 SHALL ALSO APPLY TO THE ISSUANCE OF A PERMIT FOR AN ASSISTED LIVING FACILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:**

**9.** Old Business.

**10.** New Business.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 OR (305) 883-8076 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.

**If you decide to appeal any decision made by the board, with respect to any matter considered at the meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.**